

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

IN RE: REVIEW OF AGGREGATE)	
MEASURABLE COST SAVINGS)	
DETERMINED BY DIRIGO)	ORDER ON MOTION
HEALTH FOR THE SECOND)	TO AMEND SCHEDULING ORDER
ASSESSMENT YEAR)	
)	
Docket No. INS-06-900)	

The Superintendent issues this order on Consumers for Affordable Health Care's ("CAHC") motion to amend the scheduling order, filed via electronic mail on the afternoon of July 10, 2006. CAHC specifically requested that the Superintendent amend the Scheduling Order issued on June 30, 2006 to (1) allow equal time between Dirigo proponents and opponents, (2) allow the proponents to reserve rebuttal time, and (3) allow CAHC to proceed last.

Equal Time Between Dirigo Proponents and Opponents:

To provide equal time between Dirigo "proponents and opponents," CAHC specifically requests a reduction of the time for oral argument provided to the four other intervenors aside from CAHC. To so change the procedural rules for the hearing, which will be held July 12, 2006, on this the day before the hearing would prejudice the four other intervenors. For the past ten days (since the Superintendent's June 30th Scheduling Order), these four intervenors have been operating under the premise that they each had 45 minutes to allocate among the four savings initiatives and ten minutes for other relevant issues, and presumably have based their preparations on this premise. CAHC's request to reduce the other intervenors' oral argument time the day before the hearing is fundamentally unfair and will not be entertained.

Allow the Proponents to Reserve Rebuttal:


The parties have been provided the opportunity to thoroughly brief the issues and no new evidence will be taken at the hearing. Accordingly, the parties are cognizant of all issues that are relevant to the Superintendent's decision. The parties are advised to apply their 45 minutes related to the four savings initiatives and their 10 minutes on other relevant issues so as to address both their direct arguments and arguments responsive to those made by other parties. Separate time allocations to make rebuttal arguments will not be allowed.

Allow CAHC to proceed last:

The schedule for the hearing allows parties to present argument and counterargument within their allocated time and on the schedule already set. Intervenor CAHC was similarly situated as the other four intervenors in that it was allowed to submit briefs on the same schedule. Arguments propounded by the parties at hearing can encompass argument and counterargument as the parties see fit, regardless of the order of the arguments. Intervenor CAHC's request to proceed last will not be allowed.

By reason of the foregoing, Consumers for Affordable Health Care's July 10, 2006 motion to amend the June 30, 2006 Scheduling Order is DENIED.

PER ORDER OF THE SUPERINTENDENT

A handwritten signature in black ink, appearing to read 'A. Iuppa', followed by a long horizontal flourish.

DATED: July 11, 2006

ALESSANDRO A. IUPPA
Superintendent of Insurance